

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

STEPHEN LIEBB,)	No. C 07-5577 CW (PR)
)	
Petitioner,)	
)	ORDER CLOSING THIS ACTION,
v.)	CONSOLIDATING THE PETITION WITH
)	CASE NO. C 04-04213 CW (PR) AND
R. AYERS, Jr., Warden,)	DIRECTING THE PARTIES TO FILE
)	SUPPLEMENTAL BRIEFING
Respondent.)	
_____)	
)	

Petitioner Stephen Liebb is a prisoner of the State of California who is incarcerated at San Quentin State Prison. He has filed a pro se petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 and has paid the filing fee. In this petition, he challenges the Board of Parole Hearings' (BPH) refusal to set a parole date at his fourth parole suitability hearing on July 27, 2006.

Petitioner currently has pending before this Court Case No. C 04-04213 CW (PR), habeas corpus petition which challenges the findings of the BPH at Petitioner's July 17, 2003 parole suitability hearing.

Good cause appearing, the Court sua sponte consolidates his current petition with the earlier one in the interests of justice and efficiency. The Clerk of the Court shall CLOSE this action, TERMINATE all pending motions and CONSOLIDATE the petition into Case No. C 04-4213 CW (PR). All future filings shall occur only in Case No. C 04-4213 CW (PR).

1 Within twenty (20) days from the date of this Order
2 Respondent's counsel shall file any supplemental briefing relevant
3 to these proceedings or shall notify the Court that she does not
4 intend to do so. Petitioner shall file his responsive
5 supplemental briefing within forty-five (45) days from the date of
6 this Order.

7 The Clerk of the Court shall file a copy of this Order in
8 Case No. C 04-4213 CW (PR), and shall serve a copy of this Order
9 as well as the present petition on the State Attorney General who
10 is listed as Respondent's counsel in Case No. C 04-4213 CW (PR).
11 The Clerk of the Court also shall send a copy of this Order to
12 Petitioner.

13 IT IS SO ORDERED.

14 DATED: 1/22/08



CLAUDIA WILKEN
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

LIEBB,

Plaintiff,

v.

BROWN et al,

Defendant.

Case Number: CV04-04213 CW
CV07-05577 CW

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on January 22, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Denise Alayne Yates
Office of the Attorney General
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004

Stephen Lieb C-60825
San Quentin State Prison
San Quentin, CA 94974

Dated: January 22, 2008

Richard W. Wieking, Clerk
By: Sheilah Cahill, Deputy Clerk